

Remarks

In the subject Action, the Examiner noted that claim 9 recited a limitation without sufficient antecedent basis. Claim 9 has been amended to address this issue.

Next, the Examiner rejected claims 1-2, 4-7, and 9-20 under 35 U.S.C. 103(a) as being unpatentable over the cited patent to Ammoscato et al. Applicant respectfully traverses this rejection and requests reconsideration in view of the above amendments and the reasons set forth below.

The Ammoscato patent shows a back support (24) pivotally connected to a frame (12) at hinge (26) for pivoting about a horizontal axis relative to the frame. In turn, a stanchion (30) is pivotally connected to the back support (24) for pivoting about a discrete horizontal axis relative to the back support. In turn, left and right dumbbell supports (38) are pivotally connected to the stanchion (30) for pivoting about discrete vertical axes relative to the stanchion. A rod (32) is inserted through aligned holes in the frame (12) and the stanchion (30) to lock both the stanchion and the back support (24) in place relative to the frame. The rod (32) must be removed in order to accommodate pivoting of any of the foregoing components about a horizontal axis. In other words, neither the stanchion (30) nor either dumbbell support (38) is free to pivot about the rod (32) at any time.

Independent claim 1, from which claims 2-5 depend, has been amended to emphasize that each base is pivotally connected to the frame for pivoting about a horizontal pivot axis from a respective

first position underlying the body supporting platform, to a respective second position out from under the body supporting platform. With reference to the limitations of amended claim 1, Applicant respectfully submits that (A) the Ammoscato "bases" are not pivotally connected to the Ammoscato frame (unless the stanchion (30) is construed as part of the frame(12)); (B) the Ammoscato "bases" do not pivot about a horizontal pivot axis relative to the Ammoscato frame (rather, together with the stanchion (30), they pivot about a horizontal axis on the back support (24), which in turn, pivots about a horizontal axis relative to the frame(12)); and/or (C) the Ammoscato "bases" pivot about vertical axes to the extent that they are movable into and out of positions beneath the Ammoscato back support.

Claim 2 has been amended to emphasize that each base is adapted to rest on the floor surface in at least one said position.

Claim 3 has been amended to recite that each body supporting platform underlies each base when each base occupies its respective second position.

Claim 4 has been amended to recite a second body supporting platform mounted on the frame, and that at least part of each base underlies the second body supporting platform when each base occupies its respective second position (out from under the other body supporting platform).

Claim 5 has been amended to recite that each dumbbell handle extends perpendicular to the horizontal pivot axis in each position (of the bases).

Independent claim 6, from which claims 7-10 depend, has been amended to recite that each base is adapted to rest on the floor surface, and each said base rests on the floor surface in at least one recited position. Applicant respectfully submits that the Ammoscato "bases" do not meet this limitation.

Claim 7 has been amended to recite that each base rests on the floor surface when occupying its first position, and the frame supports each base above the floor surface when occupying its second position.

Claim 8 has been amended to emphasize that the second body supporting platform extends perpendicular to the first body supporting platform both when each base occupies its first position and when each base occupies its second position.

Claim 9 has been amended to clarify that each base pivots about a common axis relative to the frame.

Claim 10 has been amended to emphasize that the dumbbell handles extend parallel to one another both when each base occupies its first position and when each base occupies its second position.

Independent claim 11, from which claims 12-15 depend, has been amended to recite that each base is adapted to rest on the floor surface, and is movably connected to the frame for movement between a respective first position, wherein the frame supports each said base at an elevation above the floor surface, and a respective second position, wherein each said base rests on the floor surface. Applicant respectfully submits that the Ammoscato "bases" do not meet this limitation.

Claim 12 has been amended to recite that each base is upright relative to the floor surface in both its first position and its second position.

Claim 13 has been amended to recite that the body supporting platform defines a planform, and each base is disposed outside the planform when occupying its second position.

Claim 14 has been amended to recite that each base is disposed within the planform of the body supporting platform when occupying the respective first position.

Claim 15 has been amended to recite a body supporting platform mounted on the frame and defining a planform, and that each base is disposed within the planform when occupying its first position.

Independent claim 16, from which claims 17-20 depend, has been amended to clarify that the frame is adapted to rest in at least two different operational orientations on a horizontal floor surface; and to further recite a bolt inserted through aligned holes in the frame and each base, thereby defining a horizontal pivot axis about which each base pivots relative to the frame to remain in an upright orientation relative to the floor surface when the frame occupies any one of the operational orientations. With reference to the limitations of amended claim 16, Applicant respectfully submits that (A) the Ammoscato rod (32) does not extend through each "base"; (B) the Ammoscato "bases" do not pivot about a horizontal pivot axis relative to the Ammoscato frame (rather, together with the stanchion (30), they pivot about a horizontal axis on the back support (24), which in turn, pivots

about a horizontal axis relative to the frame(12)); and /or (C) the Ammoscato rod (32) locks the stanchion (30) and the dumbbell supports (38) against pivoting about any horizontal axis.

Claim 18 has been amended to emphasize that the body supporting platform extends horizontally at a first elevation above the floor surface when the frame occupies one of the orientations.

Claim 19 has been amended) to emphasize that the additional body supporting platform extends horizontally at a relatively greater, second elevation above the floor surface when the frame occupies another of the orientations.

Having addressed the issues raised in the subject Action, Applicant respectfully requests reconsideration and allowance of this application. The Examiner is always welcome to contact Applicant at the telephone number set forth below to discuss any matter regarding this application.

Respectfully submitted,

MAK  
Mark A. Krull  
Reg. No. 34,205

(541) 385-0383